



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 29, 2008

Signature:

(William A. Di Bianca)

Docket No.: SPINE 3.0-437
CPCPCPCPCPCPCP I CON II
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Errico et al.

Application No.: 10/663,487

Group Art Unit: 3738

Filed: September 16, 2003

Examiner: B. E.
Pellegrino

For: INTERVERTEBRAL SPACER DEVICE
HAVING SIMULTANEOUSLY ENGAGEABLE
ANGLED PERIMETERS FOR
MANIPULATION USING A SURGICAL
TOOLS

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: October 29, 2008

Respectfully submitted,

By


William A. Di Bianca
Registration No.: 58,653
LERNER, DAVID, LITTBENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000

Attorney for Applicant(s)

LD-458\